

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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CONSTELLATION NEWENERGY, INC.,

*Plaintiff,*

ECF Case

v.

No. 20 Civ. 8448 (JMF)

WEST SIDE MANHATTAN REAL  
ESTATE, LLC,

*Defendant.*

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WEST SIDE MANHATTAN REAL ESTATE, LLC,

*Third-Party Plaintiff,*

v.

JOHN HAJJAR, M.D., REGENT MEDICAL  
PROPERTIES LLC, and BARTON SCHACK,

*Third-Party Defendants.*

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WHEREAS, on March 25, 2021, the Government submitted a motion and memorandum in support seeking to intervene in this action and seeking a stay of this action, in light of the pendency of a related criminal action *United States v. Barton Schack*, Crim No. 21-225 (D.N.J.) (the “Criminal Case”), in which an information has been filed and the investigation remains ongoing; and

WHEREAS, defendant West Side Manhattan Real Estate LLC and Third-Party Defendants Barton Schack, John Hajjar, M.D., and Regent Medical Properties LLC do not oppose this motion;

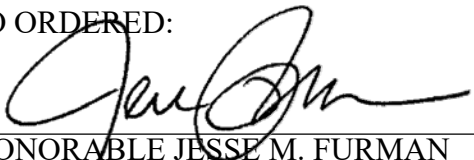
WHEREAS, plaintiff Constellation NewEnergy, Inc. does not take a position on this motion; and

WHEREAS, the Court finds that a complete stay in this action is in furtherance of the interests of justice and will not prejudice any party; it is hereby

**ORDERED** that the Government's motion to intervene is GRANTED; and

**ORDERED** that this action is stayed in its entirety 180 days ~~or, if within that 180-day period, an indictment is returned related to the currently pending Criminal Case, until the conclusion of the prosecution on the individual(s) charged in such indictment.~~ If the Government believes that a stay beyond that is warranted, it shall confer with counsel for all parties and file an a letter motion at least one week before the stay is due to expire.

SO ORDERED:

  
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HONORABLE JESSE M. FURMAN  
UNITED STATES DISTRICT JUDGE

March 26, 2021

\_\_\_\_\_  
DATE

The conference currently scheduled for May 13, 2021 is ADJOURNED *sine die*. The Clerk of Court is directed to terminate ECF No. 57.